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EXAMINER

PHAN, TAM T

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,637

Applicant(s)

SINGHAL, SANDEEP K.

Examiner

Tam (Jenny) Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8,9,18-22,24,25,33 and 35-40 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-6,8,9,18-22,24,25,33 and 35-40 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This application has been examined. Amendment received on 10/28/2004 has been entered. Claims 7, 10-17, 23, 26-32, and 34 are cancelled. Claims 1-2, 4-6, 8, 18-19, 21-22, 24, and 33 are amended. Claims 35-40 are added.
2. Claims 1-6, 8-9, 18-22, 24-25, 33, and 35-40 are presented for examination.

Priority

3. No priority claims have been made.
4. The effective filing date for the subject matter defined in the pending claims in this application is 03/26/2001.

Claim Objections

5. Claim 36 is objected to because of the following informalities: "The computer program product of claim 36" should read "The computer program product of claim 35". For examining purposes, claim 36 will read "The computer program product of claim 35". Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claims 1-6, 8-9, 18-22, 24-25, 33, and 35-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Reichmeyer et al. (U.S. Patent Number 6,286,038), hereinafter referred to as Reichmeyer.

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8. Regarding claim 1, Reichmeyer disclosed a method for configuring a network, comprising: performing a first configuration for a first device for use in the network; storing first configuration information for the first configuration on a storage device; reading the first configuration information from the storage device at a second device; responsive to the first configuration information being present on the storage device, prompting the user to select whether to clone the first configuration; responsive to the user selecting to not clone the first configuration, generating default values based on the first configuration information; and performing a second configuration for the second device for use in the network based on the default values, wherein the first configuration of the first device and the second configuration of the second device are performed prior to networking the first device and the second device (Title, Abstract, Figures 2-4, column 2 line 45-column 3 line 6, column 3 line 13-54, column 6 lines 24-42, column 7 line 59-column 8 line 17). Note: It is usually inherent for the step of configuring a network device to take place prior to networking the device to another device such as a network host in order for the device to communicate with the host.

9. Regarding claim 2, Reichmeyer disclosed a method wherein performing the first configuration the first device includes configuring a host application [configuration server] (Figure 3, column 4 lines 17-30, column 6 lines 24-42, column 7 lines 43-58).

10. Regarding claim 3, Reichmeyer disclosed a method wherein performing the second configuration of the second device includes configuring a client application to communicate with the host application at the host address over the network (Figure 9, column 3 lines 13-17, column 4 lines 17-30, column 7 lines 2-17).

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11. Regarding claim 4, Reichmeyer disclosed a method wherein the step of configuring the second device comprises configuring a client application to communicate with the host application over the network (Abstract, Figures 2- 3, column 6 lines 24-42, column 7 lines 43-58).

12. Regarding claim 5, Reichmeyer disclosed a method wherein the host application is selected from a list of possible host applications for the client application and wherein the list of possible host applications is derived from previous configurations (column 7 lines 17-22, column 8 lines 33-42, column 8 lines 24-26).

13. Regarding claim 6, Reichmeyer disclosed a method further comprising: storing second configuration information for the second configuration on the storage device (column 2 lines 44-64, column 34-41, column 12 lines 38-49).

14. Regarding claim 8, Reichmeyer disclosed a method further comprising: responsive to the user selecting to clone the first configuration, copying the first configuration information to the second device (column 3 lines 30-54, column 6 lines 24-42, column 7 line 59-column 8 line 17).

15. Regarding claim 9, Reichmeyer disclosed a method wherein the storage device is a floppy disk [PCMCIA disk, removable storage media] (column 3 lines 30-42).

16. Regarding claims 18-22 and 24-25, the apparatus for configuring a network corresponds directly to the method of claims 1-6 and 8-9, and thus these claims are rejected using the same rationale.

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17. Regarding claims 33 and 35-40, the computer program product for configuring a network corresponds directly to the method of claims 1-6 and 8 and the apparatus of claims 18-22 and 24, and thus is rejected using the same rationale.

18. Since all the limitations of the claimed invention were disclosed by Reichmeyer, claims 1-6, 8-9, 18-22, 24-25, 33, and 35-40 are rejected.

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 1-6, 8-9, 18-22, 24-25, 33, and 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamper (U.S. Patent Number 6,654,797) in view of Hansen (U.S. Patent Number 5,819,042).

21. Regarding claim 1, Kamper disclosed a method for configuring a network, comprising: performing a first configuration for a first device for use in the network; storing first configuration information for the first configuration on a storage device; reading the first configuration information from the storage device at a second device; and performing a second configuration for the second device for use in the network based on the default values, wherein first configuration of the first device and second configuration the second device are performed prior to networking the first device and the second device (Title, Abstract, Figures 4, column 2 lines 3-19, column 3 line 45-column 4 line 18, column 5 line 65-column 6 line 11, column 7 lines 17-43).

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22. Kamper taught the invention substantially as claimed. However, Kamper did not expressly teach a method in responsive to the first configuration information being present on the storage device, prompting the user to select whether to clone the first configuration; and in responsive to the user selecting to not clone the first configuration, generating default values based on the first configuration information.

23. Kamper suggested exploration of art and/or provided a reason to modify the method for configuring a network with additional features that would allow users to interact with the configuring process (column 6 lines 27-34, column 7 lines 52-61).

24. Hansen disclosed a method in responsive to the first configuration information being present on the storage device, prompting the user to select whether to clone the first configuration; and in responsive to the user selecting to not clone the first configuration, generating default values based on the first configuration information (Abstract, column 5 lines 2-25, column 6 lines 15-30, column 10 lines 23-39, column 14 lines 21-36).

25. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Kamper with the teachings of Hansen to include features that would allow users to interact with the configuring process in order to allow customization since users could specify and provide requested information that would be unique to their device (Hansen, column 14 lines 21-36).

26. Regarding claims 2-4, Kamper disclosed a method, wherein performing the first configuration the first device includes configuring a host application; wherein the first configuration information includes a host address; and wherein performing the second

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configuration of the second device includes configuring a client application to communicate with the host application at the host address over the network (column 3 lines 16-27, column 4 lines 6-18, column 6 lines 34-63, column 7 line 63-column 8 line 33).

27. Regarding claims 5-6, Kamper disclosed a method wherein the host application is selected from a list of possible host applications for the client application and wherein the list of possible host applications is derived from previous configurations; and a method further comprising storing second configuration information for the second configuration on the storage device (column 3 lines 16-27, column 4 lines 6-18, column 6 lines 34-63, column 7 line 63-column 8 line 33).

28. Regarding claims 8-9, Kamper disclosed a method, further comprising: responsive to the user selecting to clone the first configuration, copying the first configuration information to the second device; and wherein the storage device is a floppy disk (column 3 line 45-column 4 line 18, column 5 lines 20-34, column 7 lines 8-28, column 7 line 63-column 8 line 33).

29. Regarding claims 18-22 and 24-25, the apparatus for configuring a network corresponds directly to the method of claims 1-6 and 8-9, and thus these claims are rejected using the same rationale.

30. Regarding claims 33 and 35-40, the computer program product for configuring a network corresponds directly to the method of claims 1-6 and 8 and the apparatus of claims 18-22 and 24, and thus is rejected using the same rationale.

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31. Since all the limitations of the claimed invention were disclosed by the combination of Kamper and Braun, claims 1-6, 8-9, 18-22, 24-25, 33, and 35-40 are rejected.

Response to Arguments

32. Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

33. The timely submission under 37 CFR 1.129(a) filed on 10/28/2004 is not fully responsive to the prior Office action because no argument was presented for the 102(e) rejection as being anticipated by Reichmeyer et al. (U.S. Patent Number 6,286,038). However, since the pending claims have been amended, the Examiner has prepared another rejection taken in view of the pending claims to further advance prosecution.

34. As the rejection reads, Examiner asserts that the combination of these teachings render the claimed invention obvious.

Conclusion

35. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (571) 272-3930. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William Cuchlinski

SPE

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tp

April 9, 2005